

ZB# 01-70

Charlene Romaine

25-1-17

#01-70 Romaine, Charlene

25-1-17 Area

Prelim.
Dec. 17, 2001.
Public Hearing:
Jan. 28, 2002
Granted.
Refund
\$203.00

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Romaine, Charlene

FILE# 01-70.

RESIDENTIAL: \$50.00
INTERPRETATION: \$150.00

COMMERCIAL: \$150.00

AREA X

USE

APPLICATION FOR VARIANCE FEE \$ 50.00

ESCROW DEPOSIT FOR CONSULTANT FEES \$ 300.00

DISBURSEMENTS:

STENOGRAPHER CHARGES: \$4.50 PER PAGE

PRELIMINARY MEETING-PER PAGE 12/17/01 3 \$ 13.50
2ND PRELIMINARY- PER PAGE \$
3RD PRELIMINARY- PER PAGE \$
PUBLIC HEARING - PER PAGE 1/28/02 3 \$ 13.50
PUBLIC HEARING (CONT'D) PER PAGE \$
TOTAL \$ 27.00

ATTORNEY'S FEES: \$35.00 PER MEEETING

PRELIM. MEETING: 12/17/01 \$ 35.00
2ND PRELIM. \$
3RD PRELIM. \$
PUBLIC HEARING: 1/28/02 \$ 35.00
PUBLIC HEARING (CONT'D) \$
TOTAL \$ 70.00

MISC. CHARGES:

..... \$
TOTAL \$ 97.00

LESS ESCROW DEPOSIT \$ 300.00
(ADDL. CHARGES DUE) \$
REFUND DUE TO APPLICANT .. \$ 203.00

*paid cash to
1/14/02. Town
Clerk*
*paid cash
1/14/02 -
Garretolany*

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT

#01-70

*#49
Variance*

01/14/2002

Romaine, Charlene

Received \$ 50.00 for Zoning Board Fees, on 01/14/2002. Thank you for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Application fee -

Deborah Green
Town Clerk

[illegible]

-----X

In the Matter of the Application of

CHARLENE ROMAINE

MEMORANDUM
OF DECISION
GRANTING VARIANCE

#01-70.

-----X

WHEREAS, CHARLENE ROMAINE, 44 Birchwood Drive, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for a 13 ft. side yard variance to allow an existing carport at the above location, in an R-4 zone; and

WHEREAS, a public hearing was held on the 28th day of January, 2002 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared for this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, no one spoke in favor or in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and in The Sentinel, also as required by law.

2. The evidence presented by the Applicant showed that:

(a) The property is a residential property located in a neighborhood of residential properties.

(b) The property has a carport erected next to it which encroaches in the mandated side yard.

(c) The carport has been in existence for approximately 16 years.

(d) No complaints have been made about the carport either formally or informally.

(e) The carport does not create any water hazards or affect the run off or drainage of water.

(f) Other buildings in the area have similar carports or garages.

(g) The carport is not built on top of any water or sewer easement or well or septic system.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The variance will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.

2. There is no other feasible method available to the Applicant that can produce the benefits sought.

3. The variance requested is substantial in relation to the Town regulations, but nevertheless is warranted.

4. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

5. The difficulty the Applicant faces in conforming to the bulk regulations is self-created but nevertheless should be allowed.

6. The benefit to the Applicant, if the requested variance is granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The interests of justice will be served by allowing the granting of the requested area variance.

NOW, THEREFORE, BE IT

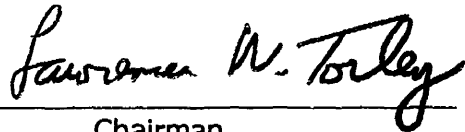
RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a 13 ft. side yard variance for an existing carport

at the above location, in an R-4 zone, as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and Applicant.

Dated: April 22, 2002.



Chairman

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: 11/9/01

APPLICANT: Charlene Romaine
44 Birchwood Drive
New Windsor, NY 12553

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE:

COPY

FOR : Existing 12x20 Attached carport

LOCATED AT: 44 Birchwood Drive

ZONE: R-4 Sec/Blk/ Lot: 25-1-17

DESCRIPTION OF EXISTING SITE: Existing one family house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. Existing attached carport does not meet minimum 15ft side yard set-back.


BUILDING INSPECTOR

PERMITTED 15ft

PROPOSED OR
AVAILABLE:

VARIANCE
REQUEST:

ZONE: R-4 USE: 8-F

MIN LOT AREA:

MIN LOT WIDTH:

REQ'D FRONT YD:

REQ'D SIDE YD:

2ft

13ft

REQ'D TOTAL SIDE TD:

REQ'D REAR YD:

REQ'D FRONTAGE:

MAX BLDG HT:

FLOOR AREA RATIO:

MIN LIVABLE AREA:

DEV COVERAGE:

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

RECEIVED

NOV 02 2001

BUILDING DEPARTMENT

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and here is no fee for this.

FOR OFFICE USE ONLY:
Building Permit #: _____

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE PERMIT WILL BE ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises Charlene Romaine

Address 44 Birchwood Drive New Windsor Phone # 565-3925

Mailing Address _____ Fax # _____

Name of Architect N/A

Address _____ Phone _____

Name of Contractor N/A

Address _____ Phone _____

State whether applicant is owner, lessee, agent, architect, engineer or builder _____

If applicant is a corporation, signature of duly authorized officer _____
(Name and title of corporate officer)

1. On what street is property located? On the _____ side of _____
(N,S,E or W)
and _____ feet from the intersection of _____

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N ☒

X 3. Tax Map Description: Section 25 Block 1 Lot 17

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy _____ b. Intended use and occupancy _____

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other Existing Carport

X 6. Is this a corner lot? No

7. Dimensions of entire new construction. Front _____ Rear _____ Depth _____ Height _____ No. of stories _____

8. If dwelling, number of dwelling units: _____ Number of dwelling units on each floor _____

Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____ Oil _____
Electric/Hot Air _____ Hot Water _____ If Garage, number of cars _____

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____

10. Estimated cost _____ Fee \$50.00

11, 2, 01
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors Frank Lisi & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

A. Charlene Romaine

(Signature of Applicant)

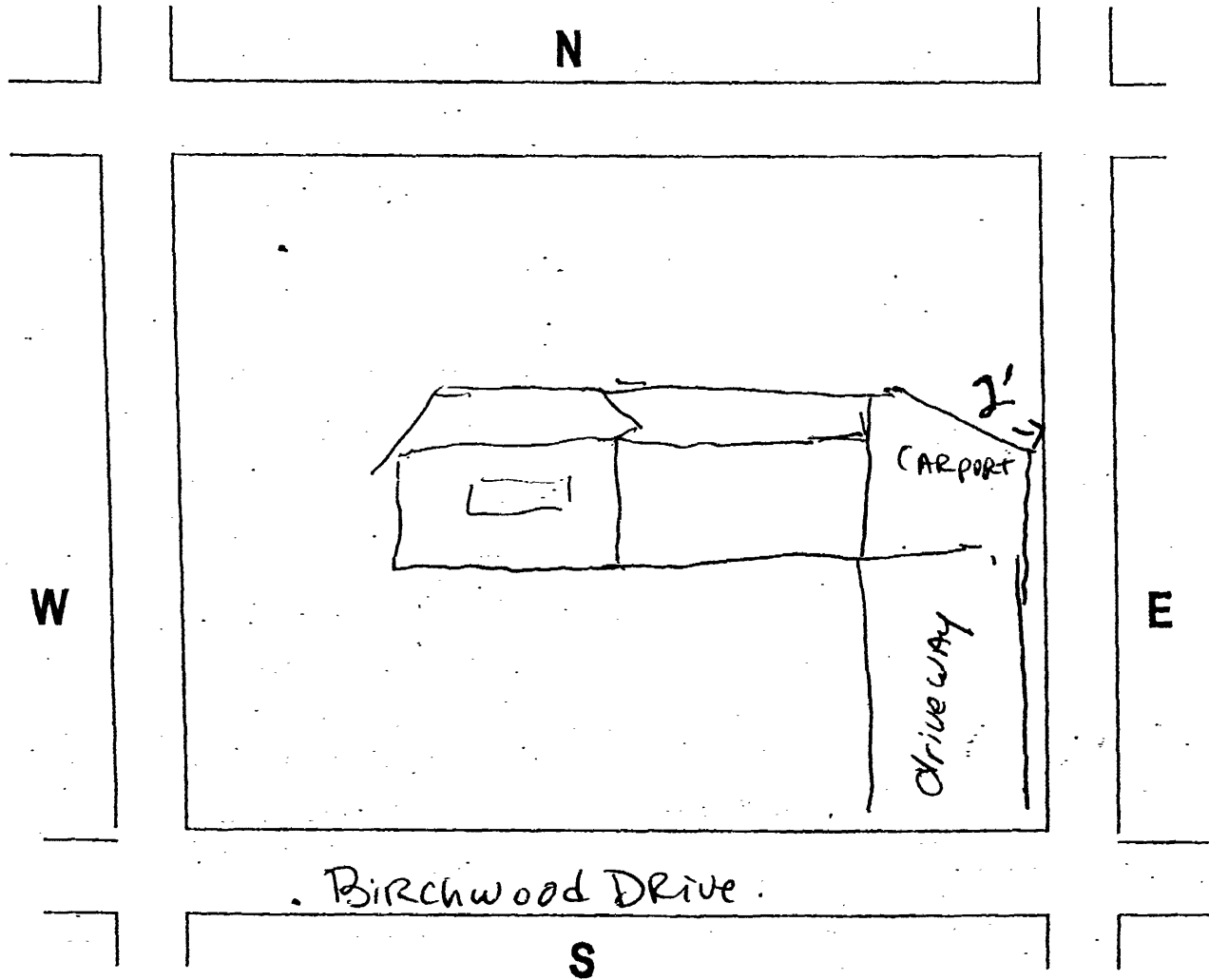
A. Charlene Romaine

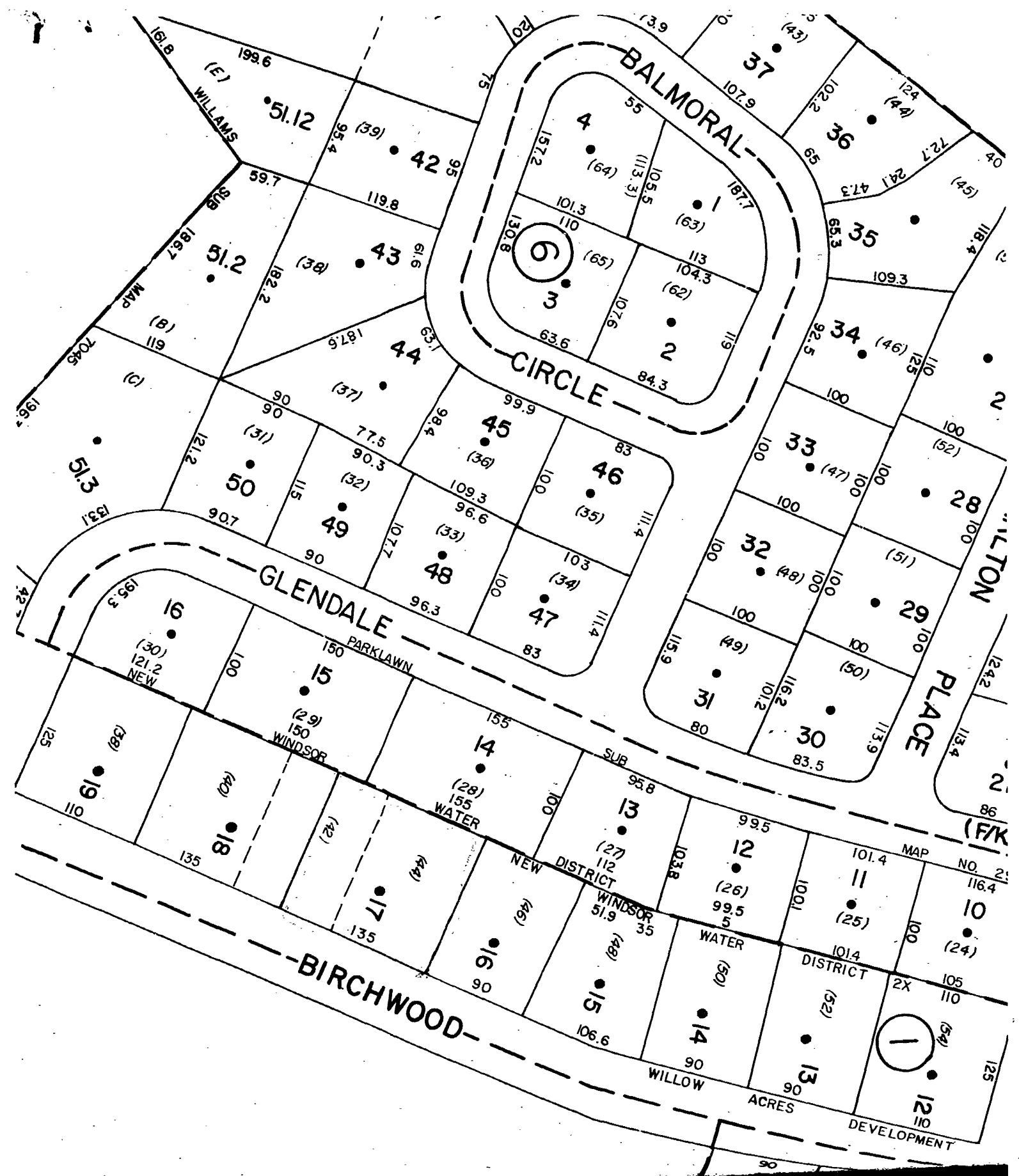
(Address of Applicant)

C.

PLOT PLAN

NOTE: Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.





Pls. publish immediately. Send bill to below applicant.

PUBLIC NOTICE OF HEARING

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following Proposition:

Appeal No. 70

Request of Charlene Romaine

for a VARIANCE of the Zoning Local Law to Permit:

existing carport w/ less than the allowable
side yard;

being a VARIANCE of Section 48-12 Table of Use/Bulk Regs. - Col. F

for property situated as follows:

44 Birchwood Drive, New Windsor, N.Y.

known and designated as tax map Section 25, Blk. 1 Lot 17

PUBLIC HEARING will take place on the 28th day of January,
2002 at the New Windsor Town Hall, 555 Union Avenue, New Windsor,
New York beginning at 7:30 o'clock P.M.

Lawrence Torley
Chairman

By: Patricia A. Corsetti, Secy.

Date 1/4/02

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

TO Frances Roth
168 N. Drury Lane
Newburgh, N.Y. 12550 DR.

DATE			CLAIMED	ALLOWED
12/12/01		N.W. Zoning Board	75.00	
		Misc. 3		
		Locurto - 3		
		Curtin - 4		
		Carlone - 2		
		Pflierger - 2		
		B'krete - 4		
		Bomaine - 3 13.50.		
		DiCoco - 2		
		Betrix - 2		
		Sisters of the Presentation - 3		
		28	126.00	
			201.00	

ROMAINE, CHARLENE

MR. TORLEY: Request for 13 ft. side yard variance for existing carport at 44 Birchwood Drive in an R-4 zone.

MS. Romaine appeared before the board for this proposal.

MS. ROMAINE: I bought this house with this carport there, it's my first house, I don't know what I'm doing. I had this little paper so I thought I was included and my friends told me no, so I need a variance on it and I'm going on.

MR. KANE: Do you know how long the carport's been in existence?

MS. ROMAINE: It's been there a long time. This letter was '99 stating that he didn't see any violations so then I got confused. I'd rather do it the right way. It's a nice effect, it helps keep the car dry.

MR. TORLEY: Two feet off the property line?

MS. ROMAINE: Right.

MR. KANE: So the house itself predates zoning, structure was built in 1962.

MR. REIS: Mike, is the, does the town records, Mr. Babcock, show that the carport was an extension or an add-on or--

MR. BABCOCK: I'm not quite sure, according to this file, I can't figure that out. I'm not quite sure why or how that got picked up this time. You're doing this on your own, so you don't have a problem in the future?

MS. ROMAINE: Right. When I found this letter, I realized this is what I hadn't done in the first place.

MR. BABCOCK: In 1999, we sent a letter saying no violations, built in 1962.

MR. KANE: The whole thing is pre-existing?

MR. TORLEY: No record of violation?

MR. BABCOCK: Not one in here, but I think what we should do is probably if it's the pleasure of the board possibly set her up for a public hearing. I will have this checked out, if she doesn't need a variance, we'll just drop it, if she needs it, then she can continue on.

MR. TORLEY: If we set you up for a public hearing, we grant you the right to have one, doesn't mean you have one, you can back out or if you don't need one, you don't have to, it gives you the right, you don't have to.

MR. KANE: That letter that you have there states that the home was built before zoning which means it's grandfathered in, since there's no permits on file or any kind of violations at this point that Michael hasn't found we're going to assume that the carport was part of the original building which means that it does predate zoning and you really don't have to do that. So we're going to set you up for a public hearing and if Mr. Babcock doesn't come up with anything, you're not required to come back for it and the old building would be considered predating zoning.

MS. ROMAINE: How will I know?

MR. BABCOCK: Talk to Jennifer in my office, I'm not in tomorrow, I'll call her tomorrow and have her research this. We'll see if we can determine when it arrived, if we determine that it arrived there in 1980, then we're going to tell you that you need this thing. If we cannot determine when it arrived, we're going to say it was with the house and it predates.

MR. TORLEY: Let's proceed. I'll entertain a motion on this matter.

MR. MC DONALD: Motion that we set Mrs. Romaine up for a public hearing for the request for the 13 foot side yard variance for her carport.

December 17, 2001

19

MR. RIVERA: Second it.

ROLL CALL

MR. REIS	AYE
MR. KANE	AYE
MR. MC DONALD	AYE
MR. RIVERA	AYE
MR. TORLEY	AYE

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

01-70.

Date: 1/14/02.

Work 845-358-0114

I. ✓ Applicant Information:

- (a) Charlene Romaine 44 Birchwood Dr. New Windsor NY 12553 565-3925 (Owner)
(b) _____ (Name, address and phone of purchaser or lessee)
(c) _____ (Name, address and phone of attorney)
(d) _____ (Name, address and phone of contractor/engineer/architect)

II. Application type:

- () Use Variance () Sign Variance
(X) Area Variance () Interpretation

III. ✓ Property Information:

- (a) R-4 44 Birchwood Drive 25.1 17 125' x 125'
(Zone) (Address) (S B L) (Lot size)
(b) What other zones lie within 500 ft.? None
(c) Is a pending sale or lease subject to ZBA approval of this application? No.
(d) When was property purchased by present owner? July 1999
(e) Has property been subdivided previously? NO
(f) Has property been subject of variance previously? NO
If so, when? _____
(g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? _____
(h) Is there any outside storage at the property now or is any proposed? Describe in detail: N/A

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____

(b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(c) Applicant must fill out and file a Short Environmental Assessment Form (SEQR) with this application.

(d) The property in question is located in or within 500 ft. of a County Agricultural District: Yes _____ No _____.

If the answer is Yes, an agricultural data statement must be submitted along with the application as well as the names of all property owners within the Agricultural District referred to. You may request this list from the Assessor's Office.

✓ V. Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table of Use/Bulk Regs., Col. F.

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Min. Lot Area _____	_____	_____
Min. Lot Width _____	_____	_____
Reqd. Front Yd. _____	_____	_____
Reqd. Side Yd. <u>15 ft.</u>	<u>2 ft.</u>	<u>13 ft.</u>
Reqd. Rear Yd. _____	_____	_____
Reqd. Street Frontage* _____	_____	_____
Max. Bldg. Hgt. _____	_____	_____
Min. Floor Area* _____	_____	_____
Dev. Coverage* _____ %	_____ %	_____ %
Floor Area Ratio** _____	_____	_____
Parking Area _____	_____	_____

* Residential Districts only

** No-residential districts only

✓ (b) In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3)

whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created. Describe why you believe the ZBA should grant your application for an area variance.

Garage has been in existence for approx. 6 years; no changes to the neighborhood which would be detrimental.

(You may attach additional paperwork if more space is needed)

VI. Sign Variance: *N/A*

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Regs.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign	_____	_____	_____
Sign 3	_____	_____	_____
Sign	_____	_____	_____
	_____	_____	_____
	_____	_____	_____

(b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. *N/A*

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or

upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

IX. Attachments required:

- ☐ Copy of referral from Bldg./Zoning Insp. or Planning Bd.
- ☐ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy of deed and title policy.
- ☐ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copy(ies) of sign(s) with dimensions and location.
- ☒ Two (2) checks, one in the amount of \$ 50.00 and the second check in the amount of \$ 300.00, each payable to the TOWN OF NEW WINDSOR.
- ☐ Photographs of existing premises from several angles.

X. Affidavit.

Date: 1/14/02

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

X Charles A. Romaine
(Applicant)

Sworn to before me this

14th day of January, 2002

XI. ZBA Action:

(a) Public Hearing date: _____

PATRICIA A. CORSETTI
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 2002

Date 1/29/02

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

Frances Roth
168 N. Drury Lane
TO Newburgh, N.Y. 12550 DR.

DATE			CLAIMED	ALI
1/28/02		Zoning Board Mtg	75 00	
		Misc. - 2		
		Blythe - 1		
		Digerata - 5		
		Hong - 3		
		Carlone - 3		
		Tracyland - 3		
		Bouaine - 3	103 50	
		Delaney - 3		
		23	178 50	

ROMAINE, CHARLENE

MR. TORLEY: Request for 13 ft. side yard variance for existing carport at 44 Birchwood Drive in an R-4 zone.

Ms. Charlene Romaine appeared before the board for this proposal.

MR. TORLEY: Anyone in the audience wishing to speak on this matter? Let the record show there's no one.

MS. CORSETTI: On January 14, we sent out 80 notices.

MR. KANE: Well, tell us what you want to do, Charlene.

MS. ROMAINA: We need a 13 foot side yard variance for an existing carport.

MR. MC DONALD: How long has it been there?

MS. ROMAINA: Sixteen years.

MR. KANE: Any complaints, formally or informally?

MS. ROMAINA: No.

MR. KANE: Any creation of water hazards or runoffs from the carport?

MS. ROMAINA: No.

MR. KRIEGER: Was it built while you owned the premises or before you owned it?

MS. ROMAINA: Before I owned it.

MR. KRIEGER: Is there any record in the building inspector's records about building permits having been issued?

MR. BABCOCK: No.

MR. KRIEGER: No record?

MR. BABCOCK: No record.

MR. KANE: Obviously, it's infeasible to move the carport?

MS. ROMAINE: Right.

MR. TORLEY: You've had no objections from your neighbors?

MS. ROMAINE: No.

MR. TORLEY: Since it's only two feet off the property line, they have no objection?

MS. ROMAINE: He said he didn't mind.

MR. TORLEY: Other buildings in the area have carports or garages?

MS. ROMAINE: You know, I'm not sure. Probably.

MR. TORLEY: This is not an unusual feature of the neighborhood?

MS. ROMAINE: No.

MR. TORLEY: It's not built over any water or sewer lines?

MS. ROMAINE: No.

MR. TORLEY: Power easements, anything like that?

MS. ROMAINE: No.

MR. TORLEY: Any such variance would not relieve you from any other parts of the codes as far as structural integrity, et cetera.

MS. ROMAINE: Correct.

MR. MC DONALD: Accept a motion?

MR. TORLEY: Yes.

January 28, 2002

19

MR. MC DONALD: I make a motion we grant Charlene Romaine's request for 13 foot side yard variance for existing carport at 44 Birchwood Drive.

ROLL CALL

MR. KANE	AYE
MR. MCDONALD	AYE
MR. TORLEY	AYE

-----X

**AFFIDAVIT OF
SERVICE
BY MAIL**

Charlene Pomaine

01-70.

SS.:

COUNTY OF ORANGE)

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

That on the 14th day of Jan., 2002, I compared the 80 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor regarding the above application for a variance and I find that the addresses are identical to the list received. I then caused the envelopes to be deposited in a U.S. Depository within the Town of New Windsor.

Patrice A. Corsetti

~~Notary Public~~

Sworn to before me this

____ day of _____, 20____.

Notary Public



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-4693

Assessors Office

January 3, 2002

80

Charlene Romaine
44 Birchwood Drive
New Windsor, NY 12553

Re: 25-1-17

Dear Ms. Romaine:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$95.00, minus your deposit of \$25.00.

Please remit the balance of \$70.00 to the Town Clerk's Office.

Sincerely,

Leslie Cook
Sole Assessor

LC/lrd
Attachments

CC: Pat Corsetti, ZBA

25-1-12
Robert & Eleanor Spreer
54 Birchwood Drive
New Windsor, NY 12553

25-1-13
Joan Souppa
52 Birchwood Drive
New Windsor, NY 12553

25-1-14
Edward & Patricia Callahan
50 Birchwood Drive
New Windsor, NY 12553

25-1-15
Frank & Ruth Iessi
48 Birchwood Drive
New Windsor, NY 12553

25-1-16
Clifton Parker
46 Birchwood Drive
New Windsor, NY 12553

25-1-18
Edward & Catherine Brodow
40 Birchwood Drive
New Windsor, NY 12553

25-1-19
Dana & Liliann Putnam
38 Birchwood Drive
New Windsor, NY 12553

25-1-20
Orville & Margery Orts
36 Birchwood Drive
New Windsor, NY 12553

25-2-12
Robert J. & Carol Griffin
61 Hudson Drive
New Windsor, NY 12553

25-2-13
Thomasina Blair
59 Hudson Drive
New Windsor, NY 12553

25-2-14
Peter & Adrianna Rappa Trustees
Rappa Living Trust
53 Birchwood Drive
New Windsor, NY 12553

25-2-15
Robert, Virginia & Helen Basile
55 Birchwood Drive
New Windsor, NY 12553

25-2-16
Robert Hurley
57 Birchwood Drive
New Windsor, NY 12553

25-3-11
Anthony Pellitteri
Jeannine Sassano
62 Hudson Drive
New Windsor, NY 12553

25-4-10
Levio & Rose Young
116 Glendale Drive
New Windsor, NY 12553

25-4-11
Frank & Diann Puccio
118 Glendale Drive
New Windsor, NY 12553

25-4-12
Howard & Estelle Brown
120 Glendale Drive
New Windsor, NY 12553

25-4-13
Stephen & Katharine Costello
122 Glendale Drive
New Windsor, NY 12553

25-4-14
Joseph & Arlene Mathews
124 Glendale Drive
New Windsor, NY 12553

25-4-15
Richard & Donna Hamel
126 Glendale Drive
New Windsor, NY 12553

25-4-16
Mitchell Kolpan
128 Glendale Drive
New Windsor, NY 12553

25-5-20
Glenn & Diane Trapp
115 Glendale Drive
New Windsor, NY 12553

25-5-21
Community Church of the Nazarene of
New Windsor
59 Blooming Grove Turnpike
New Windsor, NY 12553

25-5-22
Robert & Ronnie Silver
404 Carlton Circle
New Windsor, NY 12553

25-5-27
Ernest & Patricia Wagner
409 Carlton Circle
New Windsor, NY 12553

25-5-28
John & Eleanor Lech
407 Carlton Circle
New Windsor, NY 12553

25-5-29
Richard & Sandra Sollas
405 Carlton Circle
New Windsor, NY 12553

25-5-30
Manuel Chambers
403 Carlton Circle
New Windsor, NY 12553

25-5-31
Anthony & Carol Elias
502 Balmoral Circle
New Windsor, NY 12553

25-5-32
John & Randee O'Connor
504 Balmoral Circle
New Windsor, NY 12553

25-5-33
Sergio Valentin
506 Balmoral Circle
New Windsor, NY 12553

25-5-34
Ann Marie Connolly
508 Balmoral Circle
New Windsor, NY 12553

25-5-42
Orsen Lewis
524 Balmoral Circle
New Windsor, NY 12553

25-5-43 & 25-5-51.2
Victor Valle
526 Balmoral Circle
New Windsor, NY 12553

25-5-44
Darren & Karen Bullock
528 Balmoral Circle
New Windsor, NY 12553

25-5-45
Byron & Angela Thomas
530 Balmoral Circle
New Windsor, NY 12553

25-5-46
Elizabeth Shewring
Louis Haines
532 Balmoral Circle
New Windsor, NY 12553

25-5-47
Arnold & JoEllen Sabino
501 Balmoral Circle
New Windsor, NY 12553

25-5-48
Jose & Carmen Aldebon
125 Glendale Drive
New Windsor, NY 12553

25-5-49
Jeffrey Stringer
Anastasia Howard
127 Glendale Drive
New Windsor, NY 12553

25-5-50 & 25-5-51.3
George & Kimberly Ciaschi
129 Glendale Drive
New Windsor, NY 12553

25-5-51.12 & 39-1-19
Lillian & Harold Toffler
81 Harth Drive
New Windsor, NY 12553

25-5-51.42
Town of New Windsor
555 Union Avenue
New Windsor, NY 12553

25-6-2
Robert P. & Ellen Doerr
507 Balmoral Circle
New Windsor, NY 12553

25-6-3
Frank & Linda Soricelli
525 Balmoral Circle
New Windsor, NY 12553

26-1-1.1 & 26-1-1.2
Foxwood Associates
C/o Anthony P. Costa
1200 Stony Brook Court
Newburgh, NY 12550

39-1-20
Robert & Ana Gotz
83 Harth Drive
New Windsor, NY 12553

39-1-21
Charles Botsford
85 Harth Drive
New Windsor, NY 12553

39-1-22
John & Rose Bambrick
27 Roe Avenue
Cornwall-on-Hudson, NY 12520

39-1-23.1
Herbert & Bernice Gordon
89 Harth Drive
New Windsor, NY 12553

39-1-24
Mark & Susan Schotsch
34 Birchwood Drive
New Windsor, NY 12553

40-1-1
Robert McKnight Jr.
51 Birchwood Drive
New Windsor, NY 12553

40-1-2
Jeffrey Coelho
Suzannah Jones
57 Hudson Drive
New Windsor, NY 12553

40-1-3
Clarence & Ruth Starsiak
55 Hudson Drive
New Windsor, NY 12553

40-1-4
John & Alberta Ponessa
53 Hudson Drive
New Windsor, NY 12553

40-1-5
Wilson Jr. & Joanne Smith
51 Hudson Drive
New Windsor, NY 12553

40-1-6
Sally Scheiner Revocable Trust
C/o S. Scheiner, Trustee
14488 Via Royale
Delray Beach, FL 33446

40-1-7
Michele Starkey
47 Hudson Drive
New Windsor, NY 12553

40-1-8
Jeffrey Barrett
45 Hudson Drive
New Windsor, NY 12553

40-1-9
Walter & Electra Orzechowski
43 Hudson Drive
New Windsor, NY 12553

40-1-10
Deanne Illenberger
41 Hudson Drive
New Windsor, NY 12553

X

40-1-21
William & Kelly Thompson
#174 Wilbur Boulevard
Poughkeepsie, NY 12603

X

40-1-11
Susan & Daniel Arnold
39 Hudson Drive
New Windsor, NY 12553

X

40-1-22
Sharon & Gus Palentino
47 Birchwood Drive
New Windsor, NY 12553

X

40-1-12
Michael Carey
Joan Miller
37 Hudson Drive
New Windsor, NY 12553

X

40-1-23
John & Kathleen McParland
49 Birchwood Drive
New Windsor, NY 12553

X

40-1-14
Scot & Luanne Jennex
31 Birchwood Drive
New Windsor, NY 12553

X

40-2-1
Lawrence & Mary McGrath
60 Hudson Drive
New Windsor, NY 12553

X

40-1-15
Catherine Rice
33 Birchwood Drive
New Windsor, NY 12553

X

40-2-2
Richard Julian
58 Hudson Drive
New Windsor, NY 12553

X

40-1-16
Carl & Joan Ponesse
35 Birchwood Drive
New Windsor, NY 12553

X

40-2-3
Michael & Linda Robinson
56 Hudson Drive
New Windsor, NY 12553

X

40-1-17
Nicholas & Vivian Carfizzi
37 Birchwood Drive
New Windsor, NY 12553

X

40-2-4
Donald Fagan
54 Hudson Drive
New Windsor, NY 12553

X

40-1-18
Josephine Dewingaerde
39 Birchwood Drive
New Windsor, NY 12553

X

40-2-5
Dennis & Penelope Franciosi
52 Hudson Drive
New Windsor, NY 12553

X

40-1-19
Jean Shoemaker
41 Birchwood Drive
New Windsor, NY 12553

X

40-2-6
Lisabeth Stelz-Riach
Gerard Stelz & Shirley Stelz
50 Hudson Drive
New Windsor, NY 12553

X

40-1-20
Melvina Totaan
43 Birchwood Drive
New Windsor, NY 12553

X

40-2-7
Anthony & Patricia D'Angelo
48 Hudson Drive
New Windsor, NY 12553

X